

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ERIC MACHORRO and TAMARA TORRES-TORRES,

Plaintiff,

V.

PROGRESSIVE HOME ADVANTAGE,

Defendant.

CASE NO. 2:23-cv-00653-JHC

ORDER

Defendant removed this action based on diversity jurisdiction. Dkt. # 1. In its notice of removal, Defendant states that “Plaintiffs are *residents* of King County, and at all times material to maintained their principal place of *residence* in King County, Washington.” *Id.* (emphasis removed). But diversity jurisdiction is based on the *citizenship* of the parties, not their *residences*. *Warner-Lambert Co. v. Warner-Lambert Co.*, 265 F.3d 853, 857 (9th Cir. 2001) (“Plaintiffs’ complaint and the defendant’s notice of removal both state that Plaintiffs were ‘residents’ of California. But the diversity jurisdiction statute, 28 U.S.C. § 1332, speaks of citizenship, not of residency.”). While the two concepts often overlap, they are not coextensive. *See id.* (“A person residing in a given state is not necessarily domiciled there, and thus is not necessarily a citizen of that state.”).

1 Within fourteen (14) days, the parties are ORDERED to show cause regarding this
2 Court's jurisdiction. The parties shall submit briefs no longer than three (3) pages in length
3 explaining whether (or not) diversity jurisdiction exists.

4 Dated this 28th day of June, 2023.

5 
6

7 John H. Chun
8 United States District Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24